



COPY

February 18, 2009

Dr. C. Timothy Summerlin  
President  
Schreiner University  
2100 Memorial Boulevard  
Kerrville, TX 78028

**Certified Mail**  
**Return Receipt Requested**

**No. 7002 3150 0005 2494 2468**

**RE: Final Program Review Determination**  
OPE ID: 00361000  
PRCN: 200840626762

Dear Dr. Summerlin:

The School Participation Team – Dallas issued a program review report on September 18, 2008, covering Schreiner University's (SU) compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) included in Section 485(f) of the Higher Education Act of 1965, as amended (HEA). SU's final response was received on November 14, 2008.

**Purpose:**

Final determinations have been made concerning all of the outstanding findings of the program review report. The issuance of this Final Program Review Determination (FPRD) letter closes the Department's Clery Act review of SU. SU does not have any institutional financial liabilities relating to the misuse of federal funds based on this FPRD. Therefore, SU may **not** appeal this FPRD letter. The purpose of this letter is to notify SU of a possible adverse administrative action. This FPRD is being referred to the Administrative Actions and Appeals Division (AAAD) for consideration of possible adverse administrative action. Such action may include a fine, or the limitation, suspension or termination of the eligibility of the institution pursuant to 34 C.F.R. Part 668, Subpart G. If AAAD initiates any action, a separate notification will be provided which will include information on institutional appeal rights and procedures to file an appeal.

Federal Student Aid, School Participation Team - Dallas  
1999 Bryan Street, Suite 1410  
Dallas, TX 75201-6817  
[www.FederalStudentAid.ed.gov](http://www.FederalStudentAid.ed.gov)

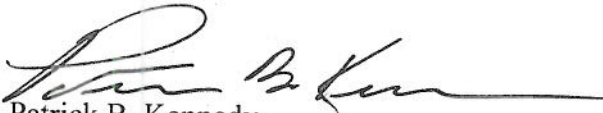
FEDERAL STUDENT AID  START HERE. GO FURTHER.

**Record Retention:**

Program records relating to the period covered by the program review must be retained until the later of: resolution of the loans, claims or expenditures questioned in the program review; or the end of the retention period otherwise applicable to the record under 34 C.F.R. §§ 668.24(e)(1), (e)(2), and (e)(3).

If you have any questions regarding this letter, please contact Mr. Jesus Moya at (214) 661-9472.

Sincerely,



Patrick B. Kennedy  
Area Case Director

Enclosures

cc: Toni L. Bryant, Financial Aid Administrator  
Mr. David Linkletter, Texas Higher Education Coordinating Board  
Dr. Belle S. Wheelan, President, Southern Association of Colleges and Schools  
Commission on Colleges  
Dr. Cheryl D. Cardell, Southern Association of Colleges and Schools Commission on  
Colleges  
Ms. Carol Lindsey, Vice President of Policy and Compliance, Texas Guaranteed Student  
Loan Corporation  
Mr. Bruce Bement, Director of Compliance, USA Funds

Prepared for

**Schreiner University**



START HERE  
GO FURTHER  
FEDERAL STUDENT AID™

**OPE ID 00361000**

**PRCN 200840626762**

Prepared by:

**U.S. Department of Education**

**Federal Student Aid**

**School Participation Team - Dallas**

# Final Program Review Determination

February 18, 2009

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#### **A. Institutional Information**

Schreiner University  
2100 Memorial Boulevard  
Kerrville, TX 78028-5697

Type: Private nonprofit

Highest Level of Offering: Master's Degree or Doctor's Degree

Accrediting Agency: Southern Association of Colleges and Schools Commission on Colleges

Current Student Enrollment: 982 (Fall 2007)

% of Students Receiving Title IV: 80% (2007-2008)

Title IV Participation (source: PEPS):

	2006-2007
Federal Pell Grant	\$ 959,259
Federal Supplemental Educational Opportunity Grant (FSEOG)	\$ 130,311
Federal Work-Study (FWS)	\$ 90,187
Federal Family Education Loan (FFEL)	\$ 5,860,910

Default Rate FFEL:	2006	7.8%
	2005	4.6%
	2004	6.0%



## **B. Scope of Review**

The U.S. Department of Education (the Department) received a complaint on February 21, 2008, about Schreiner University's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), § 485(f) of the Higher Education Act of 1965, as amended (HEA). The Department requested that Schreiner University respond to the issues raised in the complaint and to provide copies of certain institutional publications for the purpose of conducting an off-site review.

The focus of the Department's review was to determine Schreiner University's compliance with the Clery Act with respect to the specific issues raised in the complaint.

### **Disclaimer:**

Although the review was thorough, it cannot be assumed to be all-inclusive. The absence of statements in the report concerning SU's specific practices and procedures must not be construed as acceptance, approval, or endorsement of those specific practices and procedures. Furthermore, it does not relieve SU of its obligation to comply with all of the statutory or regulatory provisions governing the Title IV, HEA programs.

## **C. Findings and Final Determinations**

### **Resolved Findings**

SU has taken the corrective actions necessary to resolve findings 2 and 3 of the program review report. Therefore, these findings are considered closed. The program violations identified in the remaining finding are discussed below.

### **Findings with Final Determinations**

#### **Finding 1. Failure to Accurately Report Crime Statistics – Excluded Incident**

***Citation:** Institutions are required to publish and distribute, by October 1 of each year, an annual security report that contains required crime statistics, as well as required statements and policies, to its current students and employees. Institutions must also inform prospective students and employees of the report's availability and provide a copy upon request.*

*The annual security report must report crime statistics for the three most recent calendar years concerning the occurrence on campus, in or on noncampus buildings or property, and on public property of the following offenses:*

- *Criminal homicide (murder and nonnegligent manslaughter);*
- *Sex offenses (forcible sex offenses and nonforcible sex offenses);*
- *Robbery;*
- *Aggravated assault;*
- *Burglary;*
- *Motor vehicle theft;*
- *Arson;*
- *Arrests for liquor law violations, drug law violations, and illegal weapons possession; and*
- *Persons not included in the above category who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.*

34 C.F.R. § 668.46 (the implementing regulations of the The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act)

***Noncompliance:*** *Schreiner University failed to report one incident of a forcible sex offense for calendar year 2005 in its crime statistics for its October 1, 2006, and October 1, 2007, annual security reports.*

*The Department received a complaint on February 21, 2008, that Schreiner University had failed to include one incident of a forcible sex offense that occurred on or about January 22, 2005 in its crime statistics. One of the exhibits in the complaint was an article from The Daily Times.com dated February 1, 2007, that stated,*

*“[institutional official], vice president for administration and finance, oversees Schreiner’s security department. After hearing of the allegations in August 2005, [institutional official] requested that the family fill out a formal complaint and provide a copy of the police report.*

*‘Neither of these requests was ever met,’ [institutional official] said in the same written statement. ‘When approached by the Kerrville Police Department, we cooperated fully with their investigation.’”*



*On March 5, 2008, the Department requested that Schreiner University explain why the incident was excluded from its crime statistics. Schreiner University responded on March 24, 2008, that the incident was not reported because "the accuser or her parents" did not provide any details of the incident to Schreiner University. Further, Schreiner University stated that the complaint to the Department "appears to be an effort to harass and intimidate Schreiner...."*

*Schreiner University was informed by Kerrville Police Department in 2005 that an alleged forcible sex-offense had occurred in one of its residence halls. Although the victim and her family did not cooperate with Schreiner University by filling out a complaint form, or otherwise directly providing details to Schreiner University, this lack of cooperation did not relieve Schreiner University of its obligation to report the incident. For Clery Act purposes, an incident is considered to be reported to an institution when it is brought to the attention of campus police, security, or other campus security authority.*

*An institution may only exclude incidents which have been officially unfounded (i.e., a determination was made by a law enforcement authority that an incident did not occur). In this specific case, the Kerrville Police Department classified the case as "suspended." Therefore, unless the Kerrville Police Department determined that the alleged incident did not occur, Schreiner University was obligated to report the incident.*

*For crime statistics reporting purposes, 34 CFR § 668.46(c)(2) states that "An institution must record a crime statistic in its annual security report for the calendar year in which the crime was reported to a campus security authority." Further, it is the Department's position (per The Handbook for Campus Crime Reporting) that institutions are required to report offenses even if such information comes from calls for service, complaints or investigations.*

*An institution may not exclude an incident about which it is aware simply because a formal process was not properly followed. When the Kerrville Police Department contacted Schreiner University officials with responsibility over campus security about this incident in 2005, the crime statistics reporting requirement was met.*

**Required Action:** *Schreiner University must immediately revise its crime statistics to include the forcible sex offense that occurred in one of its residence halls on or about January 22, 2005. The forcible sex offense must be reported as a statistic for calendar year 2005 because that is the year in which Schreiner University was informed of the offense.*



*In addition, Schreiner University must review its information to determine if other reportable incidents were excluded because a victim or other party did not directly provide details to Schreiner University or did not follow a prescribed procedure. Schreiner University must provide this office with the results of its review.*

*Schreiner University must also develop and submit to this office a policy that ensures that all reportable incidents are included in its crime statistics. This policy must require that all institutional officials who fall under the definition of "campus security authority," as defined in 34 C.F.R. 668.46(a), are informed of their responsibility to notify the office responsible for compiling statistics of any and all reportable incidents.*

**SU's Response:** SU responded that it had complied with all the requirements of the program review report and that it had revised its crime statistics and published corrected crime data in its security web site.

**Final Determination:** SU's revised crime statistics on its website for calendar year 2005 now indicate that one forcible sex offense occurred in its on-campus residence halls. However, the Department's campus security data for SU does not reflect the correction to SU's crime statistics for the October 1, 2006, and October 1, 2007, annual security reports because 2005 calendar year data can no longer be changed by institutions.

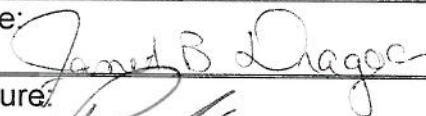

However, an explanation of the error can be made by entering information as a caveat. SU must contact the Department's Campus Crime Help Desk at (800) 435-5985 and request that its crime statistics be amended and reflected on the Department's public website by adding the following caveat:

Line C (Sex Offenses – Forcible) should read 1 for 2005

The caveat should be added to the following areas:

Criminal Offenses – On campus  
Criminal Offenses – On campus – Residence Halls.

Please notify this office when the necessary caveats have been submitted to the Department.

Checklist - FPRD Review	
Responsible Reviewer: Jesus Moya	Return #:
Institution Name: Schreiner University	
OPE ID: 00361000	PRCN: 200840626762
Date: 01/14/2009	
Cover Letter	
<input checked="" type="checkbox"/>	Letter is addressed to the correct person
<input checked="" type="checkbox"/>	Letter includes certified mail information
<input checked="" type="checkbox"/>	Correct standard paragraphs included
FPRD Report	
<input checked="" type="checkbox"/>	Correct type of FPRD drafted (FPRD – No Further Action Required; FPRD – Further Action Required; FPRD – No Program Review Report Issued; FPRD – Closed School Loan Discharges)
<input checked="" type="checkbox"/>	FPRD prepared in accordance with standard procedures
<input checked="" type="checkbox"/>	Findings and Final Determinations correctly stated
<input checked="" type="checkbox"/>	Citations are appropriate to the findings and cited correctly
<input checked="" type="checkbox"/>	Description of each instance of noncompliance is sufficiently detailed to clearly identify the institution's regulatory violations
na	Summary of Liabilities included with correct amounts
na	Payment Instructions prepared correctly
na	Student Sample Appendix is properly prepared with only first and last names and last four digits of students' SSNs
na	Other appendices, if any, are properly prepared or enclosed as attachments
PEPS Data Entry Worksheet	
<input checked="" type="checkbox"/>	PEPS Data Entry form correctly completed (including repayment method and liability amounts)
na	For FPRD - No Program Review Report Issued only: Deficiency codes are appropriate to the findings
Approvals	
na	For FPRDs with liabilities of at least \$100,000 but less than \$1,000,000, approval obtained from OGC
na	For FPRDs with liabilities of \$1,000,000 or more, approval obtained from OGC and SEC General Manager
TL Signature: 	Date: 2-18-09
ACD Signature: 	Date: 2-18-09



## PEPS Data Entry Form -

Submitted By

Jesus Moya

Date

09/15/2008

## Program Review Information

Entered By

Yolanda Smith

Date

09/15/08 y

Purpose

Initial ☒Update ☐Closeout ☒

y Smith 9-19-09

Institution

Schreiner University

Street Address

2100 Memorial Boulevard

City Kerrville

State TX

Zip Code 78028

Reviewer: Jesus Moya

Lead

Reviewer: Michael Rhodes

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Reviewer: J

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Reviewer:

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<b>OPE ID</b> 00361000	<b>TIN Number</b> 741193459	<b>PEPS ASSIGNED PRCN</b> 200840626762	
<b>(PEPSD209 Page 1 of 2) Review</b>		<b>Review Dates</b>	
<b>Type</b>	U Campus Security	<b>Start</b>	07/25/2008
<b>Congressional Priority</b>	14 NA	<b>End</b>	07/25/2008
<b>Reason</b>	23 Campus Crime Review	<b>Revised End</b>	
<b>Level</b>	1 Moderate Deficiencies	<b>Correspondence Dates</b>	03/05/2008
<b>Scope</b>	8 Focused	<b>PR Report Issued</b>	09/18/08
<b>Noticed</b>	A Announced	<b>EDL Issued</b>	
<b>Site</b>	F Off-Site	<b>FPRD Issued</b>	02/18/09
<b>Days</b>	01	<b>School. Rcvd FPRD or EDL</b>	
<b>(PEPSD209 Page 2 of 2)</b>		<b>Close-Out Letter Issued</b>	
Award Years:		<b>Closed</b>	02/18/09
<input type="checkbox"/> 2002-2003 (2003) <input type="checkbox"/> 2003-2004 (2004) <input type="checkbox"/> 2004-2005 (2005) <input checked="" type="checkbox"/> 2005-2006 (2006) <input checked="" type="checkbox"/> 2006-2007 (2007) <input type="checkbox"/> 2007-2008 (2008)		<b>Extension Granted</b>	<input type="checkbox"/>
<b>Case Team Action **</b>		<b>Action Date</b>	
<b>Case Team Action **</b>		<b>Action Date</b>	
<b>Case Team Action **</b>		<b>Action Date</b>	
<b>Case Team Action **</b>		<b>Action Date</b>	
<b>Case Team Action **</b>		<b>Action Date</b>	

## DEFICIENCIES and REPAYMENTS (To Be Completed by Reviewer)

[illegible]

### Repayment Method Codes:

A = Applies Against Future Cash Request  
B = Loan Discharge  
C = Cash Returned to Federal Acct. at Inst.  
D = Funds Paid to Direct Loan Origination  
E = Liability Established as an ED Finance Accounts Receivable  
F = Funds to Servicing Center  
L = Not Required to Pay Assessed Liability Amt. <\$1000.  
M = Not Required – Duplicated Liability  
N = Check to NDSL/Perkins Acct. at Inst.  
R = Repayment to FFEL Lender  
S = Repayment to Student  
T = Fine To Treasury

**\*\* Note: Case teams will enter Fine data. Case teams should coordinate the entry of Fine data with their AAA adjunct.**

PR Approved:

Adriano

Team Leader \_\_\_\_\_  
Date 9/18/08

Comments:

Area Case Director  
Date

**FPRD Approved:**

Janet Drago  
Team Leader

Date 2-18-09  
Comments:

  
Area Case Director  
Date